

POWELL, GOLDSTEIN, FRAZER & MURPHY LLP

ATTORNEYS AT LAW

www.pgfm.com

PLEASE RESPOND: Washington Address

Direct Dial: 202-624-7330  
E-mail: bkappel@pgfm.com

Sixteenth Floor  
191 Peachtree Street, N.E.  
Atlanta, Georgia 30303  
404 572-6600  
Facsimile 404 572-6999

Sixth Floor  
1001 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202 347-0066  
Facsimile 202 624-7222

September 5, 1997

**VIA FACSIMILE AND FIRST CLASS MAIL**

Kamau Philbert, Esq.  
Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MURs 4322 and 4650

Dear Mr. Philbert:

Thank you for meeting with us last Thursday to discuss the above-referenced matters. We continue to believe that our Joint Response, when read in conjunction with the five volumes of accompanying exhibits, provides the Commission with more than enough information to conclude that no further action should be taken against D. Forrest Greene, Enid Greene, and the Enid committees in these matters. You, however, feel that it is necessary to depose both Mr. Greene and Ms. Greene in order to conclude your initial investigation.

During our meeting, you cited In re Elwood Broad, MUR 3549, to justify these depositions. In this regard, it is important to recognize that MUR 3549 also supports our argument that the Commission has a long-standing policy against pursuing enforcement actions against committees beyond the reason to believe stage when inaccurate reporting was caused by the fraudulent activity of a committee treasurer, which is what happened in this matter beyond any doubt. See First General Counsel's Report at 4 (June 5, 1992)(citing MURs 3015, 2152 and 2137). We trust that you will keep this long-standing policy in mind when preparing your recommendations to the Commission.

Sincerely,

  
Charles H. Roistacher

  
Brett G. Kappel

FOR POWELL, GOLDSTEIN, FRAZER & MURPHY LLP  
Counsel to D. Forrest Greene, Enid Greene, Enid '94 and Enid '96

cc: Ms. Enid Greene  
Mr. D. Forrest Greene  
Enid Greene, Treasurer

::ODMA\PCDOCS\WSH\33396\1

SEP 11 2 19 PM '97  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL COUNSEL

0946-10E-40-66